

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SATISH RAMACHANDRAN,

Plaintiff,

v.

CITY OF LOS ALTOS, et al.,

Defendants.

Case No. 23-cv-02928-SVK

**REDACTED**

**ORDER TO PLAINTIFF TO SHOW  
CAUSE OR PAY SANCTIONS BY  
AUGUST 20, 2024**

On July 9, 2024, the Court issued a Further Order on Defendant City of Los Altos' Motion for Sanctions (Dkt. 104 – the “July 9 Order”). For the reasons fully explained in the July 9 Order, the Court held pursuant to Rule 11 of the Federal Rules of Civil Procedure that “under the circumstances of this case, an appropriate sanction is to require Plaintiff to pay a penalty to the Court in the amount of \$10,000.00.” Dkt. 104 at 16. The Court acknowledged that “Plaintiff’s ability to pay a monetary sanction is a factor the Court ‘should’ consider” and noted that Plaintiff, as the sanctioned party, “has the burden to produce evidence of inability to pay.” *Id.*; *see also Gaskell v. Weir*, 10 F.3d 626, 629 (9th Cir. 1993)). Accordingly, the Court ordered that “if Plaintiff wants the Court to consider his inability to pay a penalty of \$10,000.00 to the Court, he may file the following no later than July 30, 2024: (1) a brief statement, not to exceed 5 pages, limited to the issue of the amount of sanctions; (2) a declaration, signed under oath, with an explanation of his inability to pay a \$10,000.00 penalty and which supports (3) any admissible evidence referenced in either the statement or the declaration which establishes his inability pay a \$10,000 penalty.” Dkt. 104 at 16 (emphasis in original).

Plaintiff thereafter timely submitted the following materials: (1) Plaintiff’s Statement on Order for Sanctions (Dkt. 105 – the “Statement”); (2) Plaintiff’s Declaration on Order for Sanctions (Dkt. 106 – the “Declaration”); and (3) Plaintiff’s Request for Judicial Notice ISO

1 Statement in Response to Order re Sanctions (Dkt. 107 – the “RJN”).<sup>1</sup> [REDACTED]

2 [REDACTED]  
 3 [REDACTED] From the information  
 4 submitted, the Court is satisfied that Plaintiff presently has limited income.

5 Plaintiff has not offered similarly detailed evidence concerning his assets. [REDACTED]

6 [REDACTED]  
 7 [REDACTED]  
 8 [REDACTED]  
 9 [REDACTED]  
 10 [REDACTED]  
 11 [REDACTED]  
 12 A similar question arose at the outset of this case, when Plaintiff applied to proceed *in*  
 13 *forma pauperis*. Dkt. 3 – the “IFP Application”. In the IFP Application, Plaintiff answered “Yes”  
 14 to the question “Do you own or are you buying a home?” *Id.* at Question 5. However, Plaintiff  
 15 answered “N/A” to questions about the estimated market value of his home and the amount of the  
 16 mortgage. *Id.* The Court denied the IFP Application without prejudice because of this missing  
 17 information, but gave Plaintiff the opportunity to file a renewed IFP application that corrected the  
 18 issue. Dkt. 7. Plaintiff did not file a renewed IFP application but instead paid the filing fee.  
 19 Dkt. 12.

20 The record is also unclear as to whether Plaintiff owns more than one property. The  
 21 disputes that give rise to this case concern Plaintiff’s property located at 889 Santa Rita Avenue in  
 22 Los Altos, California, and at the time Plaintiff filed the original Complaint (June 14, 2023) and  
 23 First Amended Complaint (October 12, 2023) he indicated that he resided at that address.  
 24 See Dkt. 1 ¶ 1; Dkt. 40 ¶ 1. However, at some point between the filing of the two complaints,  
 25 Plaintiff changed his address in the caption of the case from the Santa Rita Avenue address to a  
 26 [REDACTED]

27 <sup>1</sup> In accordance with the Court’s instructions in the July 9 Order (*see* Dkt. 104 at 16-17), Plaintiff  
 28 filed these materials under seal, and therefore Plaintiff’s requests to file the materials at Dkts. 105-  
 107 under seal are **GRANTED**.

different address: 829 Laverne Way, Los Altos, California 94022. *See* Dkt. 40 at caption.

Plaintiff's ownership interest and equity stake in that property, if any, is unknown.

In the absence of any information from Plaintiff about the value of his real estate holdings, the Court conducted a Zillow search, which indicates that the estimated market value of Plaintiff's property at 889 Santa Rita Avenue is over \$3.3 million as of the date of this order.<sup>2</sup> The Zillow search further indicates that the property was purchased in 1993 for \$435,000.00. As for the property at 829 Laverne Way, a Zillow search indicates that the property was purchased in 1998 for \$975,000.00 and the present estimated market value is over \$6.25 million.<sup>3</sup>

From this information, it is reasonable for the Court to infer that Plaintiff has significant home equity from which he is able to pay a penalty of \$10,000.00 to the Court. Plaintiff has not provided any evidence to the contrary despite opportunities to do so in connection with both the July 9 Order and the earlier order denying his IFP Application. However, to give Plaintiff a final opportunity to be heard on this issue, the Court **ORDERS PLAINTIFF TO SHOW CAUSE** why he is unable, based on his equity in his real estate holdings, to pay a penalty of \$10,000.00 to the Court. By **August 20, 2024**, Plaintiff may either:

(1) Pay the \$10,000.00 penalty to the Court. Payment may be made at the Clerk's Office by check, money order, or credit card; or online at Pay.gov. Checks and money orders must be made out to: **CLERK, U.S. DISTRICT COURT**; or

(2) File a declaration, signed under oath, along with any admissible evidence referenced in the declaration limited to the issue of Plaintiff's inability pay a \$10,000.00 penalty in light of Plaintiff's equity in his real estate holdings. Plaintiff's submission may be filed under seal, and any supporting evidence shall be treated as "Attorneys-Eyes Only" and is to be viewed only by counsel for the City.

<sup>2</sup> [https://www.zillow.com/homes/889-Santa-Rita-Ave-Los-Altos,-CA-94022\\_rb/19522831\\_zpid/](https://www.zillow.com/homes/889-Santa-Rita-Ave-Los-Altos,-CA-94022_rb/19522831_zpid/) (last visited August 6, 2024).

<sup>3</sup> [https://www.zillow.com/homes/829-Laverne-Way-Los-Altos,-CA-94022\\_rb/153181362\\_zpid/](https://www.zillow.com/homes/829-Laverne-Way-Los-Altos,-CA-94022_rb/153181362_zpid/) (last visited August 6, 2024).

1 The most recent RJN submitted by Plaintiff (Dkt. 107) asks the Court to take judicial  
2 notice of documents related to Plaintiff's arguments regarding fraud on the court. As directed in  
3 the July 9 Order, Plaintiff's submissions were to be limited to the issue of whether he is unable to  
4 pay a penalty of \$10,000.00 to the Court. Dkt. 104 at 16. Because the documents that are the  
5 subject of the RJN do not relate to that issue, the Court has not considered the documents and  
6 **DENIES** the RJN.

7 **SO ORDERED.**

8 Dated: August 6, 2024

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11 **SUSAN VAN KEULEN**  
12 United States Magistrate Judge  
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United States District Court  
Northern District of California